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NEA FOR FRONT OFFICE. NSC FOR ABRAMS/RAMCHAND/PASCUAL

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TAGS: KWBG PHUM ASEC IS PBTS PTER

SUBJECT: YESHA COUNCIL AGREES TO MOVE MIGRON OUTPOST INTO ADAM SETTLEMENT

REF: A. A) JERUSALEM 1496
 1B. B) JERUSALEM 1990
 1C. C) TEL AVIV 2306

Classified By: Consul General Jake Walles, per reasons 1.4 (b) and (d)

11. (C) Summary: Yesha Council Chairman Dani Dayan told Poloffs November 19 that the GOI will shortly inform the High Court of Justice (HCJ) of its decision to move the Migron outpost five kilometers south into permanent housing to be built inside Adam settlement, east of the security barrier. While the Yesha Council has accepted this place, neither the Binyamin Regional Council (which oversees Migron and Adam) nor the Migron settlers themselves have agreed. Migron is both a test case for GOI willingness to impose the rule of law on settlers and meet its political commitments as well as of the Yesha Council's ability to deliver the more extreme elements among its constituents. End Summary.

12. (C) According to Yesha Council Chairman Dani Dayan, the GOI plans to inform the HCJ of its agreement with the Yesha Council to move the Migron outpost five kilometers south into permanent housing that will be built in the eastern area of Adam settlement (Adam East). Adam is just east of the security barrier. Dayan confirmed that the Yesha Council will ""go along with the plan." (Comment: The new housing for Migron settlers will almost certainly expand the existing footprint of Adam settlement. End Comment.)

13. (C) Binyamin Regional Council (which oversees Migron and Adam) Chairman Avi Roeh complained to Poloffs November 12 that the Israeli MOD initially offered four alternatives for Migron: a hilltop 300 meters south of Migron, the Binyamin Industrial Zone (Tel Mariam), or two sites inside Adam settlement (Adam East and Adam West) (REF A). Roeh said the Binyamin Regional Council had selected the first option, but the MOD subsequently rescinded that offer, saying, ""the office of the Prime Minister believes the U.S. will call it a new settlement." Roeh said that the Migron settlers had eliminated the Binyamin Industrial Zone and Adam West options from the outset, and that both the Binyamin Regional Council and the Migron settlers would refuse Adam East as well.

14. (C) Yesha Council Director General Pinchas Wallerstein told Poloffs November 17 that Migron's settlers did not want to move, but predicted that they ""would not stand against the Yesha Council"" in the end. He admitted, however, that the Migron settlers are influenced by the Yesha Council of Rabbis and extremist settlers who oppose any relocation. Their views are represented by David Haivri, head of the northern West Bank settlers' International Liaison Office, who told Poloffs that settlers in Migron should ""physically fight"" an evacuation rather than agree to move to another location (REF B).

15. (C) Roeh predicted that the requirements for approved building plans, permits, and construction of infrastructure

and permanent housing for Migron settlers will require at least two years before any move. Wallerstein estimated the timeline at five years. Both reiterated that settlers living at Migron do not want to move and should not be forced to move, pointing out that the GOI invested millions of shekels to establish Migron. (Note: The 2005 Talia Sasson report estimated that, between 2001-2005, the Ministry of Construction and Housing spent NIS 4,325,000, more than \$1 million, on infrastructure and public buildings for settlements - see REF C. End note.)

¶6. (C) COMMENT: With some 300 settlers, Migron is the largest of all the post-March 2001 outposts. It is seen as a test case for GOI will to meet its political commitments on settlements and enforce the rule of law among settlers. With Migron settlers and the Binyamin Regional Council in opposition to the move, Migron is also a test for whether the Yesha Council can deliver the more extreme among its constituents.

¶7. (C) COMMENT CONTINUED: Adam East would likely not constitute a new settlement by USG definitions, but it would almost certainly require expanding the footprint of Adam, thereby contradicting Israel's Roadmap requirement to freeze settlement activity, including natural growth. Moreover, it is uncertain that the settlers currently in Migron will leave, even if new permanent housing at Adam East is completed two to five years down the road.

WALLES
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